

Mission: Develop a strategy and then implement a campaign that will take the issue of domestic partnership benefits off the public agenda by October 1, 2003 in a way that is sound from a public policy/fiscal perspective and is acceptable to:

- A majority of both straight and gay city employees
- The majority of City Council Members
- 80+% of the general Colorado Springs population.

Background:

- 1) In 2002, the City Manager, with support of the Mayor Makepeace, proposed extending health and other employee benefits to the Domestic Partners (DP) of city employees. The definition of what constituted a DP was very strict, requiring the employee seeking to add a DP to verify that they had been living together in a financially intertwined relationship for more than a year.
- 2) The proposal took large segments community by surprise, and galvanized forces dormant since the Amendment 2 controversy of the early 1990's and then the unsuccessful campaign late 1990's campaign for a City Chartered Human Right Commission, which would have included oversight of alleged discrimination against gays/lesbians concerns. After a very contentious public debate, Council passed the DP measure by a 5-4 vote.
- 3) The City Manager had estimated that the DP measure would cost the city only \$58,000 in a \$212 million budget. By March 2003, only a handful of city employees signed up for the DP benefits, and the actual annual cost was about \$6,000. Most observers believed that if the controversy died down, more employees would take advantage of the benefits.
- 4) During 2002, two city owned enterprises, Memorial Hospital and CS Utilities, also extended DP benefits to their employees.
- 5) In the April 2003 City Election, Mayor Makepeace was term limited and another pro-DP councilor Judy Noyes decided not to seek re-election. Four of the remaining councilors ran for mayor – two who voted for and two who voted against DP.
- 6) Pre-election polling revealed that:
 - a. 49% opposed and 35% favored the current DP measure.
 - b. Only 20% of the electorate rated either keeping or rescinding the DP as one of their top 3 concerns. The issue of DP, however, was one of the few clear public policy distinctions between the 27 candidates running for Mayor and the 7 contested council seats. (For example, all the viable candidates supported aggressive economic development/good job creation efforts; obtaining more water in a frugal way; ensuring that the USOC remained in CS; keeping Memorial Hospital as a city owned asset; helping CS getting its fair share of state and federal road dollar; as well as the Trails, Open Space and Parks (TOPS) sales and use tax extension (which passed with 67% of the vote).)
- 7) The election resulted in an anti-domestic partnership candidate, Lionel Rivera, winning the Mayorship with 33% of the vote, five candidates vowing to overturn DP getting elected, and 1 pro DP candidate winning re-election.

- 8) Rivera, in his very first day as Mayor, announced his intention of “putting the DP controversy behind the city” by proposing a non-binding sense of the Council resolution indicating that the City’s 2004 budget would not include any money for DP benefits. He also indicated that two city owned enterprises, Memorial Hospital and Colorado Springs Utilities would no longer be allowed to offer such benefits.
- 9) After a very contentious debate, Council supported Rivera’s Sense of the City resolution that DP benefits would not be in the 2004 budgets for the City, CSU or Memorial Hospital by an 8-1 vote, even though employee unions, Memorial Hospital executives and many other civic leaders opposed the measure.
- 10) Some DP proponents are currently contemplating lawsuits as well as launching a national campaign urging tourists, businesses and conventioners to boycott CS.
- 11) Each of the 7 Councilors as well as the Mayor himself gave various reasons for their support of the non-binding resolution:
 - a. When the city is so cash strapped and is making cuts in essential services, no amount of money should be spent for DP benefits. (All)
 - b. Taxpayers should not have to subsidize lifestyles they disagree with. (Small, Rivera, Wingate, Purvis.)
 - c. As passed, the measure is unfair to heterosexual city employees with live-in partners. (Small)
 - d. The city should not do nothing to promote homosexuality (Wingate)

Possible Solution

- 1) Along with overturning DP, the City would enact a law allowing employees to pay the full marginal cost of adding any person(s) they are financially intertwined with to their benefits package that is OK with insurance provider (Memorial Hospital.) Financially intertwined means share finances and have lived together for at least a year. Qualified Adult.
- 2) Major segments of the pro-DP forces will publicly agree that if such a measure passes, they will not support any attempts to launch lawsuits or boycotts.

Advantages

- Due to group buying power of City, employees can get benefits for gay and heterosexual partners for about 33-40% less than what would cost to purchase a similar policy in the open market.
- Eliminates any mention of -- or special treatment for -- homosexuals.
- Eliminates all issues councilors gave for wanting to overturn DP, except morally opposed to offering the benefits
- But since no city funds would go to fund these benefits, gives Council members a face saving way to support measure without breaking campaign promises to oppose city funded DP benefits.
- Eliminates Amendment 2 type of publicity
- Puts issue behind us
- If parade of public support for this measure emerges, I believe that there is

An 85+0% chance of getting support from:

- ~~Small~~, Skorman, Heimlicker, Radford

A 50% chance of garnering support from:

- Hente, Gallagher, Small

Less than a 25% chance of garnering support from

- Purvis, Rivera

Note: Wingate, the 9th councilor, just resigned. REPLACEMENT?

Negatives

- Will not satisfy those morally apposed to offering any benefits to gay city employees (most likely this would include Focus, Bircham.)
- Would force the half dozen current city employees utilizing DP benefits to pay the full marginal cost of benefits. (need to find out what share they pay now.)
- The measure will not enable employees to pay for such benefits with pre-tax dollars, via Section 125 Flexible Sending Account (FSA) which would add another 20% savings to employees with no cost to city. (Issue of FSA's is currently being researched.)

Proposed Course of Action

- 1) During April and May 2003: Quietly run idea by 50 local concerned citizens. Get input, make tweaks as needed. People talked to:
 - a. Rocky Scott
 - b. Mary Ellen McNally
 - c. Marcy Morrison
 - d. Citizens Project
 - e. Richard Skorman
 - f. Kat Schnieber
 - g. Pam Jones
 - h. Jan Brennan
 - i. Jody Alyn
 - j. Promise Lee
 - k. MM – June 23rd, lunch
 1. Chop House/noon 632-2618,
- 2) FUTURE MEETINGS
 - a. Dave Pallenchar
 - b. Rocky Scott.
 - i. Terry Sullivan. PPCVB
 - ii. Timby/Main Chamber
 - c. Ted Haggert
 - d. GOP
 - e. Hybl
 - f. Kyle
- 3) If idea seems to be viable, by June 5, get conservative actuary to develop proposal on how such a plan would work. Options: Former Vermont Insurance Commissioner Jim Hunt/GOP, National Center for Policy Analysis, Cato Institute, others? Would need to work closely with Memorial Hospital.
- 4) During June -- do not use DP as a litmus test for the individual who Council will use to replace Wingate.
- 5) Have moderate coalition present report to Council members one-on-one.
- 6) If 5+ votes are there, get one of the current no votes to propose to Council by August 15 when Council starts debating 2004 budget. (My hunch is Heimlicker, Hente &/or Small)

